

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WALKER & ZANGER, INC, No C-04-1946 VRW
Plaintiff, ORDER
v
PARAGON INDUSTRIES, INC,
Defendant.

On November 17, 2005, plaintiff Walker & Zanger, Inc ("Walker Zanger") informed the court that defendant Paragon Industries, Inc ("Paragon") has yet "to produce certain basic categories of financial information relevant to an assessment of damages in this case." Doc #65 at 1. Paragon responded on November 19, 2005, that it "has answered [Walker Zanger's] requests as completely as it can without going through boxes of thousands of individual invoices at numerous locations." Doc #66 at 1. Because the fact discovery cutoff was November 18, 2005, Paragon asked the court to continue "deadlines and cutoffs to provide sufficient time for Paragon to fully investigate this evidence." Id at 2.

1 Although the court previously extended discovery cutoffs,
2 Doc #60, the court once again EXTENDS both the fact discovery
3 cutoff and the expert discovery cutoff to December 30, 2005. All
4 wrap-up and last-minute discovery must be completed by that date
5 and time limits are shortened to require both parties to serve and
6 file discovery responses not later than three business days after a
7 discovery request.

8 Furthermore, neither party may introduce or use at trial
9 or for any other purpose and no retained witness may rely upon any
10 evidence that has not been produced to the adverse party prior to
11 December 30, 2005, unless the party can establish to the
12 satisfaction of the court that such evidence did not exist or could
13 not have been procured prior to December 30, 2005.

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15 IT IS SO ORDERED.

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18 VAUGHN R WALKER

19 United States District Chief Judge
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